

## STATE EXHIBITION GUARANTEE ORDINANCE (1998:200)

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Swedish Code of Statutes (SFS) number: 1998:200

### Preconditions for guarantee

#### *Section 1*

A person who arranges a temporary exhibition to be shown in Sweden may obtain a State guarantee that covers the expenses for damage to or loss of objects. A guarantee may also be granted for manifestations of Swedish culture abroad.

A guarantee may not relate to an object that a State authority borrows from another State authority. However, this does not apply to such exhibitions that shall, in accordance with an approved plan, be shown at several places in Sweden (travelling exhibitions). Nor may guarantee relate to objects belonging to the person who arranges the exhibition.

If there are special reasons, a guarantee may also be granted for objects that shall be included in a permanent exhibition.

#### *Section 2*

A guarantee may only be granted if

1. the person who seeks the guarantee conducts exhibition activities on a non-profit seeking basis,
2. the exhibition has a substantial cultural value, and
3. the security requirements that are necessary in order to avoid damage or loss of objects are fulfilled.

#### *Section 3*

Guarantees may only be granted if the objects have an aggregate value of at least SEK 20.000. In the case of travelling exhibitions, the value must be at least SEK 200.000.

Exemptions from the provisions of the first paragraph may be made if there is special reason.

***Section 4***

An application for a guarantee shall be made by the person arranging the exhibition.

It shall contain information on the aggregate value of the objects, the value of every individual object and who owns it, what period the guarantee shall cover together with the other information necessary to consider the application.

***Section 5***

The applicant shall pay a

- fixed application fee of SEK 3.000, and
- variable fee that corresponds to 0.05 per cent of the aggregate guarantee limit, SEK 1.000 at least and SEK 100.000 at the most.

If fixed fee is not paid the application will not be considered. The variable fee shall only be paid if the guarantee is granted.

**Decision concerning guarantees**

***Section 6***

The Swedish Arts Council considers applications for exhibition guarantees.

***Section 7***

The Swedish Arts Council shall obtain the views of the Swedish Legal, Financial and Administrative Services Agency (Kammarkollegiet) on the question of the security requirements. If the Swedish Legal, Financial and Administrative Services Agency recommends rejection of the application because the necessary security requirements are not satisfied, the guarantee cannot be granted.

***Section 8***

Decisions on guarantees shall state

1. which amount the guarantee covers and the value of each object,
2. the applicable term of the guarantee
3. the security requirements imposed, and
4. other conditions

### ***Section 9***

Guarantees shall not cover loss or damage caused by war. Nor, if there are special reasons, shall guarantee cover loss or damage caused by natural disaster or similar circumstances.

## **Deductible**

### ***Section 10***

A deductible (excess) applies to guarantees for each loss event. The deductible is:

- SEK 20.000 for guarantee limits less than SEK 1 million,
- SEK 30.000 for guarantee limits between SEK 1 million and SEK 9.999.999
- SEK 40.000 for guarantee limits between SEK 10 million and SEK 19.999.999
- SEK 50.000 for guarantee limits between SEK 20 million and SEK 29.999.999
- SEK 60.000 for guarantee limits between SEK 30 million and SEK 39.999.999
- SEK 70.000 for guarantee limits between SEK 40 million and SEK 49.999.999
- SEK 80.000 for guarantee limits between SEK 50 million and SEK 59.999.999
- SEK 90.000 for guarantee limits between SEK 60 million and SEK 69.999.999
- SEK 100.000 for guarantee limits between SEK 70 million and SEK 79.999.999
- SEK 110.000 for guarantee limits between SEK 80 million and SEK 89.999.999, and
- SEK 120.000 for guarantee limits between SEK 90 million or more.

## **Indemnity**

### ***Section 11***

If a loss or damage occurs, the person who received the guarantee shall, as soon as possible, apply for indemnity to the Swedish Arts Council. The Swedish Legal, Financial and Administrative Services Agency shall express its views upon the application.

The Swedish Arts Council shall pass the matter on to the Government for consideration together with its own views.

### ***Section 12***

Indemnity for an object may not exceed the value that the object has according to the decision on the guarantee. If the loss or damage causes a reduction in the value of other objects covered by the guarantee, the indemnity may also relate to those objects.

***Section 13***

If other indemnity is paid to the owner or the arranger of the exhibition as a result of the loss or damage, the indemnity under the guarantee shall be reduced by a corresponding amount.

**Appeal**

***Section 14***

Decisions under this Ordinance may not be appealed against.